

IN THE CIRCUIT COURT OF MARYLAND FOR CHARLES COUNTY

MARIA ORTEGA
76 Caryl Ave #1B
Yonkers, NY 10705

Plaintiff

v.

Case No.: C-08-CV-22-000589

BIG LOTS STORES, LLC
4900 E Dublin Granville Road
Columbus, OH 43801

SERVE ON RESIDENT AGENT:

CSC-LAWYERS INCORPORATING SERVICE COMPANY
7 St. Paul Street, Suite 820
Baltimore, MD 21202

and

BIG LOTS MANAGEMENT, LLC
4900 E Dublin Granville Road
Columbus, OH 43801

SERVE ON RESIDENT AGENT:

CSC-LAWYERS INCORPORATING SERVICE COMPANY
7 St. Paul Street, Suite 820
Baltimore, MD 21202

Defendants

COMPLAINT

COMES NOW the Plaintiff, MARIA ORTEGA, by and through her attorneys,
Oluwaseun Williams, Esq. and the Law Office of Thomas E. Pyles, P.A., and sues the
Defendants, BIG LOTS MANAGEMENT, LLC and BIG LOTS STORES, INC., and states as
follows:

FACTS COMMON TO ALL COUNTS

1. Plaintiff, MARIA ORTEGA, is a resident of Yonkers, Westchester County, New York.
2. Defendant, BIG LOTS STORES, INC. is a business licensed to do business in the State of Maryland.

3. Defendant, BIG LOTS MANAGEMENT, LLC is a business licensed to do business in the State of Maryland.

4. That at all times relevant hereto, the Defendant, BIG LOTS STORES, LLC, operated and managed the Big Lots located at 1200 Smallwood Drive West, Waldorf, Maryland, which operates under the laws of Maryland, and whose resident agent is CSC-LAWYERS INCORPORATING SERVICE COMPANY located at 7 St. Paul Street, Suite 820 in Baltimore, Maryland.

5. That at all times relevant hereto, the Defendant, BIG LOTS MANAGEMENT, LLC, operated and managed the Big Lots located at 1200 Smallwood Drive West, Waldorf, Maryland, which operates under the laws of Maryland, and whose resident agent is CSC-LAWYERS INCORPORATING SERVICE COMPANY located at 7 St. Paul Street, Suite 820 in Baltimore, Maryland.

6. That on or about June 4, 2020 at approximately 3:12 p.m., the Plaintiff, MARIA ORTEGA, was lawfully and carefully walking through the Big Lots store located at 1200 Smallwood Drive West, Waldorf, Maryland.

7. That on the same date and the same time, the floor of the Big Lots had not been properly maintained as there was an unknown liquid on the floor. The area was wet and caused the Plaintiff to slip and fall backward, causing her severe and traumatic injuries more fully described below.

8. That solely as a result of the failure of the Defendants to properly clear all areas of liquid, Plaintiff sustained serious and severe injuries to her person.

9. Solely as a result of the injuries aforementioned, the Plaintiff has incurred damages, including:

- a. Medical expenses;
- b. Lost wages;

- c. She has, may, and probably will for an indefinite time in the future suffer great pain, inconvenience, embarrassment, and mental anguish;
- d. She has, may, and probably will for an indefinite time in the future be deprived of ordinary pleasures of life, loss of well-being, and equanimity; and
- e. Her overall health, strength, and vitality have been greatly impaired.

COUNT I
(Negligence – BIG LOTS STORES, INC.)

10. The Plaintiff incorporates herein by reference hereto the allegations of paragraphs 1 through 9 above as if more fully set forth herein at length.

11. The aforesaid incident occurred as a result of and was proximately caused by the careless, negligent, grossly careless, and reckless conduct of the Defendant, BIG LOTS STORES, INC. which consisted inter alia of the following particulars:

- a. Failing to properly supervise the areas in question so as to furnish to the Plaintiff, MARIA ORTEGA, a safe and clean walkway, free from hazards which were recognized or should have been recognized by Defendant, BIG LOTS STORES, INC., as causing or likely to cause the serious physical harm to the Plaintiff, MARIA ORTEGA, and others;
- b. Failing to maintain the store floor in a safe condition to ensure that the Plaintiff would not be caused to slip and fall as a result of the liquid which existed and which were known and should have been known to the Defendant;
- c. Failing to properly inspect the store floor wherein the Plaintiff was caused to fall as a result of not removing the liquid;
- d. Failing to maintain the premises owned by the Defendant in good and safe condition for the Plaintiff and others;
- e. Failing otherwise to comply with the applicable laws and regulations of the State of Maryland and the applicable Federal laws and regulations;

- f. Otherwise failing to exercise the degree of care required under the circumstances;
and
- g. Otherwise being negligent.

12. As a result of the aforesaid conduct and breach of care of the Defendant, BIG LOTS STORES, INC., Plaintiff sustained the injuries, losses, and damages which were more fully described above, without any negligence of the Plaintiff contributing thereto.

WHEREFORE, Plaintiff, MARIA ORTEGA, demands that judgment be entered against the Defendant, BIG LOTS STORES, INC., for compensatory damages in an amount exceeding Seventy-Five Thousand Dollars (\$75,000.00), plus costs and interests from the date of judgment.

COUNT II
(Negligence – BIG LOTS MANAGEMENT, LLC)

13. The Plaintiff incorporates herein by reference hereto the allegations of paragraphs 1 through 9 above as if more fully set forth herein at length.

14. The aforesaid incident occurred as a result of and was proximately caused by the careless, negligent, grossly careless, and reckless conduct of the Defendant, BIG LOTS MANAGEMENT, LLC, which consisted inter alia of the following particulars:

- a. Failing to properly supervise the areas in question so as to furnish to the Plaintiff, MARIA ORTEGA, a safe and clean walkway, free from hazards which were recognized or should have been recognized by Defendant, BIG LOTS MANAGEMENT, LLC, as causing or likely to cause the serious physical harm to the Plaintiff, MARIA ORTEGA, and others;
- b. Failing to maintain the store floor in a safe condition to ensure that the Plaintiff would not be caused to slip and fall as a result of the liquid which existed and which were known and should have been known to the Defendant;
- c. Failing to properly inspect the store floor wherein the Plaintiff was caused to fall as a result of not removing the liquid;


- d. Failing to maintain the premises owned by the Defendant in good and safe condition for the Plaintiff and others;
- e. Failing otherwise to comply with the applicable laws and regulations of the State of Maryland and the applicable Federal laws and regulations;
- f. Otherwise failing to exercise the degree of care required under the circumstances; and
- g. Otherwise being negligent.

15. As a result of the aforesaid conduct and breach of care of the Defendant, BIG LOTS MANAGEMENT, LLC, Plaintiff sustained the injuries, losses, and damages which were more fully described above, without any negligence of the Plaintiff contributing thereto.

WHEREFORE, Plaintiff, MARIA ORTEGA, demands that judgment be entered against the Defendant, BIG LOTS MANAGEMENT, LLC, for compensatory damages in an amount exceeding Seventy-Five Thousand Dollars (\$75,000.00), plus costs and interests from the date of judgment.

Respectfully Submitted,

C-08-CV-22-000589


OLUWASEUN WILLIAMS, ESQ.
CPF # 1212130292
Law Office of Thomas E. Pyles, P.A.
Attorney for Plaintiff
2670 Crain Highway Suite 106
Waldorf, MD 20601
(P) (301) 705-5006
(F) (301) 705-6565
swilliams@tompyleslaw.com

DEMAND FOR JURTY TRIAL

Plaintiff, MARIA ORTEGA, by and through his attorney, Oluwaseun Williams, Esq.,
and the Law Offices of Thomas E. Pyles, P.A., demands a trial by jury as to all issues.


OLUWASEUN WILLIAMS, ESQ.